20

1949. File No. 7996 - IX

B Class Karnatak

P & D DEPARTMENT

S. W. BRANCH

10

Subject:—

Bombay

Harijan - Temple Entry Act - 1947.

9

Karnatak

B Class

Karnatak

File No.

Std. Sectt. Slip 24 Be

This is a petition made by the President of public meeting of the villagers of Ganjagatte and of 10 or 12 other villagers in Bijapur district. The main resolution passed at the meeting states that the Maruti Temple at Ganjatte has been locked with the result that Harijans are unable to enter the Temple. The meeting condemns the action of the temple authorities. It is also suggested that all temples and their assets should be brought under an Endorsement. Act as has been done by the Madras Government.

H.M. B.C.D.may see.

Sd/-

25/548

Msp/24/8

mm 27-8

(Below petition from the President of a public meeting of the villagers of Ganjagatti and other village in the Bijapur District.)

7996
No. ~~7996~~/16525-J
E. & I.D
Bombay Castle 11th June, 1948.

Forwarded to the D.M.Bijapur for early inquirey and report. He is also requested to find out as to who owns the temple.

By order and in the name of Governor.

Sd/-

Under Secretary to the Government of Bombay
~~B.E.H.D.~~ E&I.D

Msp/24/8

mm
27-8

No.M.S.C.
Bijapur, 5-7-1948

The Under Secretary to Government,
Education and Industries Department, Bombay.

Reference:- Your Endorsement No. 7996/16525-J of
14-6-1948

The village Ganjikatti is in Dharwar District.
The papers received with your Endorsement mentioned above are therefore sent to the District Magistrate, Dharwar for action

Sd/-

Collector, Bijapur.

E.& I.D

Submitted with reference to the end. Dated 14/7/48.
The report from the D.M. Dharwar may be awaited.

Msp/24/8

MW/27/8

No. 7996/20661-5

E. & I. Deptt.

B.C. 22nd Sept. 1948

To

The District Majistrate, Dharwar

Subject:- (As on file Cover)

Please see letter No. M.S.C. dt the 5th July 1948 from the Collector of Bijapur addressed to the U.S. to Govt. E. and I. Deptt. and submit to Govt. your report in the matter at an early date.

Id/-

21-9-48

U.S. to the Govt. of Bombay

E. & I. Deptt.

MGK
24-8

Subject:- Harijan Temple entry at Ganjigatti

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No. MAG. S.R. 1576 Letter Dharwar, 13/3/1949

The Secretary to Government,

Education and Industries Department,

Bombay.

Ref:- Your No. 7996/16525.J dated 14th June 1949.

On enquiree made in this behalf it has been reported that the Maruti ~~Xxxpxx~~ Temple at Ganjigatti is a private owned institution of the Deshpande Family and its management is exclusively of a personal character.

One Mr. Shrihiwasrao Deshpande is managing the temple now.

The ornaments placed on the idol are reported to be the property of the Deshpande Family. The ornaments were given by the grand-father or the father of Mr. Shrinivasrao Deshpande, the present Manager.

The Devasthan Inam lands in question constitute a part of the original watan lands of the Deshpande family which were set a part for the maintenance and worship of the Maruti temple in question. The lands ~~wxx~~ were not granted to the Deshpande family by the Govt. as Trust Property. The lands now standing in the name of the Maruti temple appear to be a part of the original watan property of Deshpande family over which the public have no right.

An annual cash allowance of Rs. 230/- is paid every year to this temple by Government (but not Rs. 350/- as mentioned in the application). This amount of Rs. 230/- per annum is paid to Mr. Deshpande in virtue of the ~~Sxnds~~ Sanad granted by the Secretary in Coubcil in the year 1875. The only condition for the payment of this allowance as mentioned in the Sanad is that " the amount

should be permanently continued to be paid out of the Government Treasury of India as long as the Manager of this temple remain loyal and faithful subjects to the British Government".

The owner and Manager of the temple Mr. Shrinivasrao Deshpande states that he had no objection for the entrance of Harijans in the temple up to that extent and limit where other Hindus in general are actually allowed; but he objects to their entry into the inner appartment (called Garbhagudi) where the idol is actully placed and where according to the existing custom the authorised worshippers alone are allowed entrance.

In view of the documents produced by Mr. Shrinivasrao Deshpande it appears that he has been managing the temple affairs not as a trustee but as an owner and proprietor of ths this temple and hence the public seem to have no right whatsoever to interfere in his management and wahiwat.

A reference was made to the Backward Class Officer B. P. Poona in this connection. A copy of his reply is attached. In my opinion according to section 3 of the Amended Act Harijans will be entitled to enter the temple even inside the Garbhagudi as the worshipper a Hindu is allowed entry therein. However, the R.J.A. may be consulted if deemed necessary.

Id/-

District Magistrate, Dharwar.

MGK
24-8

Copy of letter No. B.C. 307/Misc. dated 26 Feb. 1949. from the Backward Class Officer, Poona.

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Please refer to your letter No. MAG. SR. 1576 dated the 11th February 1949 on the above subject.

2. In this connection, your attention is invited to the Bombay Harijan Temple Entry (Amendment) Act 1948 published at page 761 of the Bombay Government Gazette part IV dated the 31st December 1948. The word "temple" as now re-defined under this Amendment Act would include a place to whomsoever belonging which is used as a place of religious worship by custom usage or otherwise, by the members of the Hindu Community or any section thereof etc. Thus the fact that the temple is privately owned and is under the exclusive management of the Deshpande family would not exclude it from the purview of the Act provided that it is a place of religious worship used by custom, usage or otherwise by the members of the Hindu community or any section thereof. It would seem that if the place described is a temple then under Sec. 3 as amended in the Amendment Act the temple would be open to Harijans for worship in the same manner and to the same extent as to "any member of the Hindu Community or any section thereof". In my view therefore if the place of worship in question is a temple as defined in the Act, the Harijans would have the same rights which the worshipper (any member of the Hindu community) has.

I request however, that the opinion of the District Government pleader may be obtained in the matter and further action may be taken according to the opinion thus received. I shall be grateful if you will kindly forward to me in due course a copy of the opinion expressed by the District Government Pleader.

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MGK
24-8

No. 7996/15264-J,

Education and Industries Department

Bombay Castle May 1949.

From

The Under Secretary to the Government of Bombay,

Education and Industries Department.

To

The General Secretary,

Bankapur Taluka Congress Committee,

At and Post- Shiggavi,

District Dharwar.

Subject:- Harijan Temple Entry Act.

Right of Harijans to enter into

Maruti temple at Ganjigatti under...

Sir,

With reference to your letter dated the 11th May 1948, forwarding resolutions passed at a public meeting of villagers of Ganjigatti and other villages, on the subject mentioned above, I am directed to state that the Harijans will have the same rights as any other member of the Hindu Community to enter the Maruti Temple at Ganjigatti. I am however, to added that if the Hindus other than Harijans (except the authorised worshippers) are not allowed inside the sanctuary (Garbhgudi) for any purpose, the Harijans also are not allowed to to enter it.

Yours faithfully,

Id/-

V. K. Nabar,

Under Secretary to the Government of Bombay,

Education and Industries Department.

Copy, with a copy of the Remembrancer of Legal Affairs' opinion No. 4114, dated the 14th April 1949 forwarded for information and guidance to-

the Commissioners of Divisions,

All District Magistrates,
The Backward Class Officers.

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Copy of the Remembrancer of Legal Affairs' opinion No. 4114, dated the 14th April 1949.

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Entry of Harijans inside sanctuary.

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Bombay Harijan Temple Entry Act, 1947.

The view taken by U.S., E. & I.D., is correct on the assumption that the "authorised worshippers" mean only Pujaris, and that Hindus other than Harijans are not allowed inside the sanctuary (Garbhagudi) for any purpose.

MGK
24-8